

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

Case No. 5:19-MJ-515 (TWD)

JOSHUA SHAFER,

Defendant


CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of August 14, 2019, in the county of Onondaga in the Northern District of New York the defendant violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)	Possession with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine.
Title 18, United States, Code, Section 924(c)(1)(A)	Possession of a firearm(s) in furtherance of a drug trafficking crime.

This criminal complaint is based on these facts:
See Attached Affidavit

☒ Continued on the attached sheet.


Complainant's signature
DEA Special Agent Stephen Overend
Printed name and title

Sworn to before me and signed in my presence.

Date: Aug 15, 2019


Judge's signature

City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT OF DEA SPECIAL AGENT STEPHEN OVEREND

Stephen Overend, being duly sworn, deposes and says:

I. INTRODUCTION

1. I am a Special Agent with the U.S. Drug Enforcement Administration of the U.S. Department of Justice (DEA) and been so employed since July 2002. Prior to being employed with the U.S. Drug Enforcement Administration (DEA) I was a Police Officer for the Charlotte-Mecklenburg Police Department for approximately six years. I have participated in numerous narcotics and narcotics-related investigations, many of which have resulted in arrests for, among other things, violation of Title 21 of the United States Code. In addition, I have attended numerous training classes regarding narcotics investigations.

2. I submit this affidavit in support of a criminal complaint charging defendant Joshua Shafer with possession with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and, (b)(1)(B); and possession of firearms in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A).

3. During the course of these investigations, I have conducted or participated in surveillance, undercover transactions, execution of search warrants, debriefings of informants and reviews of tape-recorded conversations and narcotics records.

4. I have personally participated in the investigation of the offenses set forth below, which relate to the trafficking of cocaine. As a result of my participation in the investigation, my

conversations with Special Agents of the DEA, agents, officers and investigators of other state and local law enforcement agencies, and my review of past and present reports made by others agents, officers, and investigators, I am fully familiar with the facts and circumstances of this investigation, the subjects of the investigation, and the related locations, including the location to be searched. My experience in the investigation of narcotics crimes, as well as my participation in the instant investigation, and conversations with other law enforcement officers, will serve as the basis for any opinions or conclusions set forth below.

II. BASIS OF INFORMATION

5. Since this affidavit is being submitted for the limited purpose of providing probable cause to support charging Joshua SHAFER with possession with the intent to distribute cocaine, I have not included each and every fact known to me concerning this investigation. I set forth only the facts which I believe are necessary to establish probable cause for the issuing a criminal complaint.

6. Since June of 2019, members of the Drug Enforcement Administration (DEA) and the High Impact Drug Trafficking Area (HIDTA) drug task force have been investigating Joshua SHAFER. SHAFER is believed to be a member of a Drug Trafficking Organization (DTO) operating in the Syracuse metropolitan area.

7. As a result of information learned during the investigation, law enforcement applied for and obtained a state court authorized search warrant for SHAFER's residence and vehicle, as well as SHAFER's person. On August 12, 2019, a Syracuse City Court Judge, the Honorable Judge James H. Cecile, authorized a search warrant for Joshua SHAFER's person, a 2012 Lincoln MKZ,

and SHAFER's residence located at 689 North Clinton Street, Apartment #301, Syracuse, N.Y.

8. On August 14, 2019, agents observed Joshua SHAFER driving a 2012 Lincoln MKZ, bearing NY Registration FXG5684, on New Court Avenue, in Syracuse, N.Y. SHAFER was subsequently stopped and detained in the 3900 block of New Court Avenue. SHAFER was read his *Miranda* rights, which SHAFER exercised and refused to speak with agents.

9. At approximately 5:30 p.m., agents executed the state search warrant at 689 N. Clinton Street, Apartment # 301, Syracuse, N.Y. Agents utilized a key recovered from Joshua SHAFER's key chain to unlock the front door of the apartment. Entry was made without incident and no other occupants were found inside. Law enforcement conducted a search of the one bedroom loft apartment. Agents recovered approximately 1,042 grams of suspected cocaine from a black shoe box that was located in the closet and on the floor of the loft area. The suspected cocaine was subsequently field tested, which indicated positive for the presence of cocaine. In the loft area was also a bed. Underneath the top mattress of the bed, law enforcement recovered a 12 gauge Maverick Model 88 shotgun, bearing serial number MV20212L. The shotgun was loaded with five rounds of ammunition. In the corner of the loft, adjacent to the bed, was an unloaded Anderson AM-15 .223 assault rifle, bearing serial number 19123027. The rifle was leaning against the wall in the corner. Also in the loft, at the top of the stairs, was an unloaded American Tactical .223 assault rifle bearing serial number MSA025484, which was found in a black case on the floor. Agents also recovered approximately \$65,000.00 (believed to be drug proceeds) from a duffle bag in the kitchen, two digital scales with cocaine residue, and miscellaneous paperwork with Joshua SHAFER's name on it,

to include mail with the address of 689 N. Clinton Street, Apartment 301, and a receipt for August rent to apartment 301.

III. CONCLUSION

10. I believe the foregoing establishes probable cause to believe that Joshua SHAFER possessed with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B); possessed firearms in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 942(c).(1)(A) I respectfully request that the Court authorize the filing of this complaint so that the defendant may be charged and brought to court for further proceedings in accordance with the law.

Respectfully submitted,



STEPHEN OVEREND
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before
me this 15th day of August 2019



Hon. Thérèse Wiley Dancks
U.S. Magistrate Judge